

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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WINDWARD BORA LLC,  
Plaintiff,

v.

JOHN FRUSCIANTE, et al.,

Defendants.

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**ORDER**

No. 20-CV-07511 (PMH)

PHILIP M. HALPERN, United States District Judge:

The Court has been informed that Defendant/Counterclaimant/Cross-Claimant Robert M. Scores and Defendant/Cross-Claim Defendant John Frusciante have reached a settlement in principle in this case. In light of the dismissal of Plaintiff Windward Bora LLC's claims against Scores and Scores' counterclaims against Plaintiff (Doc. 115), it is hereby **ORDERED** that this action is dismissed without costs and without prejudice to restoring the action to the Court's calendar, provided the application to restore the action is made within thirty (30) days of this Order. Any application to reopen filed after thirty (30) days from the date of this Order may be denied solely on that basis. Any pending motions are **DISMISSED** as moot, all conferences are **CANCELED**, the deadline for Scores to file his witness list, exhibit list, and statement of damages is **CANCELED**, and the hearing scheduled for February 22, 2023 is **CANCELED**.

Dated: White Plains, New York  
February 14, 2023

  
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Philip M. Halpern  
United States District Judge